原著論文

Running title: HEALING HEROES: THE TEXT OF THE HIPPOCRATIC OATH

Healing Heroes: surveying the Greek text of the Hippocratic Oath
(Part II: Comments on sections **3.i.–8ii.b.)**

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3-3 The pledge never personally to give a lethal drug (3.i.)

This section is notable for the frequency of negative assertion in what von Staden describes as a "miniature ring combination." The participial construction αἰτηθεὶς, from αἰτεῖσθαι**,** allows of a broad range of nuance: *when asked*, *if asked*, *even if asked*, *though asked* and so forth. The adjective θανάσιμος, a common enough adjective in classical Greek, meaning *poisonous*, *deadly*, *fatal*, is placed emphatically away from φάρμακον and after αἰτηθεὶς, indicating that that while it is the profession of the physician to give φάρμακα, under no circumstances must he prescribe poisonous ones or let anyone have them (δώσω), patient or otherwise. Herewith the swearer makes an unequivocal commitment never to be complicit in murder by poison. Murder would include assassination:[141] Miles points to "Moral conflicts arising from duty to the state" and to the fact that physicians could be bound by oaths to assist their city-state. Also, Jouanna describes the cultural backdrop that had arisen wherein specialized drug vendors (pharmacopoles) were in competition with physicians. This, coupled with the pervasively dual nature of φάρμακον, enables us to appreciate the force of θανάσιμος, limiting as it does the semantic breadth of φάρμακον in this context, and thereby providing a dramatic ethical clarification of a classical lexical item renowned for its ambiguity.[142]

Here is the physician making a critical commitment in his role as prescriber of φάρμακα, central as they are to the craft of *medicine*. The structure of the sentence is artfully

141 Tac. *Ann*. 12.67: "Igitur exterrita Agrippina et, quando ultima timebantur, spreta praesentium invidia provisam iam sibi Xenophontis medici conscientiam adhibet." Xenophon, of the Coan Asclepiads, was physician to Claudius, and according to Tacitus was complicit with Agrippina in the murder of the emperor by smearing quick-acting poison on a feather and thrusting it down the emperor's throat.

142 Jouanna, 1999, 129–130. The adjective θανάσιμος occurs with φάρμακον in Euripides *Ion* (616), where it is used in conjunction with the noun διαφθορά (used in the *Hippocratic Corpus* to mean *abortion*): ὅσας σφαγὰς δὴ φαρμάκων τε θανασίμων / γυναῖκες ἡΰρον ἀνδράσιν διαφθοράς. (Interestingly, in *Ion* we find Apollo portrayed as a mendacious rapist.)

direct and emphatic, thus powerfully conveying the plainness of its intent: the forswearing of *injustice*, whether instigated from personal motives or external causes.

3-4 Nor ever to hint at the use of poison (3.ii.)

Ὑφηγέομαι, literally *to walk immediately in front of someone*, is classical Greek meaning to *instruct in* or *describe*.[143] The direct object συμβουλία is likewise classical Greek for *advice*, *counsel* or *consultation*. Much later, in Cyranides, συμβουλία assumes by extension the meaning of *prescription* or *recipe*. Incidentally, given that τοιόσδε stands in the same relationship to τοιοῦτος as ὅδε to οὗτος (*LSJ*), we can see from τοιήνδε that *Oath* does not make the strict distinction between τοιόσδε (strictly, *the following*) and τοιοῦτος (strictly, *the preceding*).[144] The thrust of this clause, therefore, is that the swearer additionally commits to *never even hinting at the possibility of using poison*.[145]

3-5 The pledge never to give an abortive pessary (3.iii)

In the same spirit (ὁμοίως), *I will not give an abortive (abortifacient) pessary to a woman*. Soranus quotes (or paraphrases) this commitment of the Hippocratic Oath as οὐ δώσω δὲ οὐδενὶ φθόριον.[146] We see that, in Soranus' version, the adjective becomes a noun signifying "an abortive agent" in its own right without φάρμακον in the same manner as ἐκβόλιον. This is also the case with *Ambrosianus*, where we find φθόριον παρέξω. We also see, therefore, that Soranus' interpretation is not qualified by pessary, but extends to all forms of abortive preparation. The adjective has powerful connotations of *inimical to life*, and is

143 It is used, for example, in participial form in *Diseases of Women I*: *Mul. I* Littré 8,48,11 (κατὰ τον ὑφηγημένον τρόπον "suivant le mode exposé") and *Mul. I* Littré 8,52,4 (κατὰ τον ὑφηγημένον λόγον "dans l'ordre susdit").
144 See note 74.
145 Jouanna (2018): "...ni ne prendrai l'initiative d'une telle suggestion."
146 See note 158.

associated with θανάσιμος through the use of ὁμοίως, which also acts to repeat the added pledge never to accede to requests. Interestingly, in modern Greek, το φθόριο has come to mean the highly toxic element *fluorine*.

In *Oath*, we find the word πεσσός used for *pessary*, a term that otherwise appears only three times in the *Hippocratic Corpus*,[147] originally meaning *oval shaped stone*. Πεσσός in this sense seems to become more frequent later, e.g., in Theophrastus, Dioscurides and Celsus (Celsus, *Med.* 5: "pessos Graeci vocant"). More common in the Hippocratic gynecological treatises for *pessary* are the terms βάλανος, πρόσθετον and πρόσθεμα/πρόσθημα, or very frequently *pessary* is expressed verbally with προστιθέναι and the substance(s) applied as object. Βάλανος derives from the shape (literally, *acorn*); πρόσθετον, from the method of application.[148] In *Diseases of Women I*, πρόσθετον is the commonest term for a pessary used in abortion. The generic term for an agent used to induce abortion (φθορή)[149] is ἐκβόλιον, which, according to *Diseases of Women I*, is employed to expel a dead fetus or one unlikely to survive.[150]

Oath does not explicitly exclude the possibility of using abortive draughts or other means of abortion. The four possible means of inducing abortion by introducing substances into the body include beverages, food, medication, and pessaries (ποτός, βρωτός, φαρμακόν,

147 *Index Hippocraticus*, 1989, s.v. πεσσός: all in gynecological treatises: once in *Nature of Women* (*Nat.Mul.* 7,412,6) and twice in Diseases of Women (*Mul.I* 8,162,2; 214,7) where, ironically, we find a recipes for the preparation of a pessary to *promote* conception, κυητήριον.

148 Laurence M. V. Totelin, *Hippocratic recipes: oral and written transmission of pharmacological knowledge in fifth- and fourth-century Greece: Studies in ancient medicine* (Boston: Brill, 2009), 52.

149 Index Hippocraticus, s.v. φθορή: "curruptio," "abortus," "stuprum."

150 Jouanna 2018 (Budé I (2)), 27–28: "Il ne parait pas y avoir de contradiction avec l'interdit du *Serment*."

πρόσθετον), the other necessary adjunct in such cases being violence or force (βίη).[151] Force is inherent in ἐκβόλιον (cf. *excutitur* in Scribonius Largus), the word for *abortifacient*.

We have no evidence that the Greeks of the fourth century BC regarded the fetus (ἔμβρυον, κύημα) as an individual human being; well-known passages in Plato (*Republic*) and Aristotle (*Politics*) indicate, rather, that abortion was relatively common at the time.[152] Moreover, *Diseases of Women I* clearly states that women were forever (ἀεὶ) impairing their health by contriving to abort the fetus.[153] This seems especially to have been a matter that was performed clandestinely within the female community. Demand (1994) writes with insight into the prevailing circumstances: "But in seeking relief from an unwanted pregnancy, [women] could not turn to the male Hippocratic doctor for assistance. As the author of *Diseases of Women* suggests, they turned instead to other women in a conspiracy of female silence." *Diseases of Women I* is the tract in the *Hippocratic Corpus* that perhaps gives us the greatest insight into abortive procedures of the era. This work clearly states that what Littré translates as *des pessaires âcres* applied after abortion can cause severe inflammation which, even if successfully treated, leads to sterility. Thus, this much disputed passage in *Oath* may simply be urging the need not to impair the natural fertility of women by avoiding the hazards of sterility that result from destructive pessaries; it is quite possible that it is not concerned

151 *Mul. I*, 72 (Littré 8,152,18–19): οὐ γάρ ἐστι μὴ οὐ βιαίως φθαρῆναι το ἔμβρυον ἢ φαρμάκῳ ἢ ποτῷ ἢ βρωτῷ ἢ προσθετοῖσιν ἢ ἄλλῳ τινί. βίη δε πονερόν ἐστι.

152 Plat. *Rep*. 5.461c: μηδ' εἰς φῶς ἐκφέρειν κύημα μηδέ γ' ἕν, ἐὰν γένηται, ἐὰν δέ τι βιάσηται, οὕτω τιθέναι, ὡς οὐκ οὔσης τροφῆς τῷ τοιούτῳ. Plato is extremely emphatic in his language, i.e., fetuses whose parents are not within the prescribed age ranges must be aborted and if they insist on seeing the light of day, they must not be allowed to live. Similar thinking is also evident in Laws (5.740), where he uses the word ἐπισχέσεις, i.e., a *checking* of the birthrate in the case of excessive fertility.
Aristot. *Pol*. 7.1335b: ὡρίσθαι γὰρ δεῖ τῆς τεκνοποιίας τὸ πλῆθος. ἐὰν δέ τισι γίνηται παρὰ ταῦτα συνδυασθέντων, πρὶν αἴσθησιν ἐγγενέσθαι καὶ ζωήν, ἐμποιεῖσθαι δεῖ τὴν ἄμβλωσιν: τὸ γὰρ ὅσιον καὶ τὸ μὴ διωρισμένον τῇ αἰσθήσει καὶ τῷ ζῆν ἔσται. It is notable that Aristotle makes the provision that abortion must not be carried out in the presence of *sensation* and *life*, when it would not be ὅσιον to kill the fetus.

153 *Mul. I*, 67 (Littré 8,140,15).

with the ethics of aborting the fetus, which, as we have seen, was not generally considered as a human individual during the classical period. Hippocratic references to abortion very seldom make a linguistic distinction between miscarriage and induced abortion. Even when the latter is the case, the purpose is more often than not therapeutic.[154] No doubt this has much to do with how practitioners of the time took the desirability of the continuity of the *oikos* for granted, a theme much in accord with the overall spirit of *Oath,* concerned as it is with lineage and successful medical outcomes. Demand (1994) quotes Crahay: "Crahay made the point that in abortion, the issue was not the sanctity of life or the rights of the fetus, but the rights of the (lawfully married) father, in other words, the rights of the *kyrios*." This is consonant with the vigilance pledged in *Oath* to the behavior of the physician having stepped over the threshold and into the household. A *kyrios* faced with an unwanted pregnancy, could, after all, have his wife go to term and then have the child exposed, which was a common enough practice and also allowed the sex of the offspring to be determined. Significantly, ἐκβάλλειν signifies both *to induce an abortion* and *to expose a child*.[155]

The decisive word in this sentence, however, is ὁμοίως. The thrust of these two lines is unambiguous in the symmetry: οὐδὲ θανάσιμον > ὁμοίως οὐδὲ φθόριον: *neither deadly nor by the same token destructive*. Since the contrast is between life and death rather than fertility and infertility, the life in question in the case of the abortive pessary could equally be the life of the mother rather than that of the fetus.[156] *Diseases of Women I* does, after all,

154 Nancy Demand, *Birth, Death, and Motherhood in Classical Greece*, (Baltimore: Johns Hopkins University Press, 1994), 57–70. Also, regarding the circumstances of the use of ἐκβόλιον, see Jouanna 2018 (Budé I (2)), 27–28.

155 Eur. *Ion*, 964: σοὶ δ' ἐς τί δόξ' ἐσῆλθεν ἐκβαλεῖν τέκνον; And what thought induced you to expose your child? (Translation: Potter)

156 Joyce E. Salisbury, *Encyclopedia of Women in the Ancient World*, ABC-CLIO, 2001, s.v. Abortion. John M. Riddle, *Contraception and Abortion from the Ancient World to the Renaissance* (Harvard University Press, 1994), 20–30. (Riddle heads this chapter with a reference to Juvenal (Juv. 2.6 595–6,) "We've so many sure-fire drugs for inducing sterility": tantum medicamina possunt, quae steriles facit atque homines in ventre necandos conducit.)

emphasize that abortions are more hazardous (χαλεπώτερος) than births and that inflammation resulting from the use of pessaries is ἐπικίνδυνος, *life-threatening*.

If we do, however, interpret this passage predominantly in terms of the ethics of aborting the fetus (which is certainly what *Ambrosianus* is saying), then it is difficult to ignore the fact that such ethical issues do not noticeably arise until the first century BC, specifically, in the writings of Scribonius Largus[157] and Soranus,[158] but also noticeable in an inscription, also from the first century BC, regulating participation in the cult of the goddess Agdistis,[159] where we read: "...They are not themselves to make use of a love potion, abortifacient,[160] contraceptive, or any other thing fatal to children; nor are they to recommend it to, nor connive at it with, another. They are not to refrain in any respect from being well-intentioned towards this oikos. If anyone performs or plots any of these things, they are neither to put up with it nor keep silent, but expose it and defend themselves. Apart from his own wife, a man is not to have sexual relations with another married woman, whether free or slave, nor with a boy nor a virgin girl; nor shall he recommend it to another."[161]

Such considerations, coupled with the fact that πεσσὸς φθόριος strikes one as a late expression that does not otherwise occur in the Corpus, being especially uncharacteristic of the language of the gynecological treatises, would entitle us to wonder whether this passage might not be a later interpolation. The incongruity of the language is as great a reason for

157 Scribonius Largus, *Compositiones*, Epistola dedicatoria, 4–5 (pp. 2–3 Sconocchia): "Hippocrates, conditor nostrae professionis, initia disciplinae ab iureiurando tradidit: in quo sanctum est, ut ne praegnanti quidem medicamentum, quo conceptum excutitur, aut detur, aut demonstretur a quoquam medico; longe praeformans animos discentium ad humanitatem.

158 Soranus*, Gynecology*, trans. O. Temkin (Baltimore, Johns Hopkins Press, 1950). Greek text: Soranus Gynaeciorum. In *Corpus medicorum graecorum*, vol. 4, ed. J. Ilberg (Berlin: Teubner, 1927). Sor. *Gyn*. 1.60: οἱ μὲν γὰρ ἐκβάλλουσιν τὰ φθόρια τὴν Ἱπποκράτους προσκαλούμενοι μαρτυρίαν λέγοντος· οὐ δώσω δὲ οὐδενὶ φθόριον.

159 Franciszek Sokolowski, 1955: *Lois Sacrées de l'Asie Mineur* (LSAM), LSAM 20 (Syll^3 985), Paris: 1955).

160 abortifacient: φθορεῖον

161 Translation: S. C. Barton and G. R. Horsely, "A Hellenistic Cult Group and the New Testament Churches," *JAC* 24, (1981): 7–41.

seeing this passage as post-classical as any perceived mismatch in terms of the prevailing mores.

3-6 Purity, piety, and constant vigilance to uphold the integrity of *bios* and *technē* (4.i–4.iii.)

Ἁγνῶς (*in a pure way*) takes us back to Apollo, to the very opening of *Oath*. The transitivity of the verb ὀμνύειν signifies that the swearer is *invoking* the god. A precondition of the god lending an ear to the invocation is that the juror be ἁγνός, not only *pure*, but also *filled with religious awe*, an absence of which would render the act of taking an oath entirely meaningless. The word is used in the same adverbial format in the *Hymn to Apollo* (*h. Ap.* 121) : θεαὶ λόον ὕδατι καλῷ ἁγνῶς καὶ καθαρῶς, where we see the goddesses washing the newborn Apollo *purely and cleanly* with sweet water.[162] Other archaic and classical uses of the word include *free from the stain of blood*, *chaste*, *upright*, and *impartial*. Realistically, however, any physician would be hard pressed to fulfill the physical conditions of purity in the archaic sense. To be sure, the swearer of *Oath* pledges to avoid sexual activity in regard of patients and their households, thus committing himself to *chastity*. However, forswearing use of a surgical knife does not extend to *freedom from the stain of blood*.

Ὁσίως (*in a holy way*) is likewise the adverbial form of the adjective ὅσιος, which *LSJ* defines in a contrasting sense to both δίκαιος and ἱερός. In terms of medical interventions, for example, Aristotle tells us that it is not ὅσιος to abort a fetus that has developed sensation and life. Τὰ δίκαια καὶ ὅσια in Plato's *Statesman* (*Stat*. 301d) is a relatively common example of juxtaposition, rendered by *LSJ* as "things of human and divine

162 Translation: Hugh G. Evelyn-White, *Hesiod, the Homeric Hymns and Homerica*, (Cambridge, MS: Harvard University Press, 1914).

ordinance." Meanwhile, ὅσια in relation to ἱερὰ sets into contrast that which is *righteous in a secular setting* and that which is *sacred*. Not unnaturally, ἱερός makes no appearance in *Oath*:[163] the physician, the swearer before the gods in this instance, is called on to be righteous (upright), free from defilement in the sight of the gods. The commitment to things of human ordinance is evident in *safeguard the sick from anything conducive to their harm or to injustice* (ἀδικίῃ). Both ἁγνῶς and ὁσίως stress that both the physician's *bios* and *technē* are to be vigilantly upheld in a manner that accords with divine law. It is ὁσίως that is the more easily interpreted, given the inevitable backdrop of the profane and secular in medical practice. The upshot is the difficulty of satisfactorily reconciling the two in this particular coupling in the context of the traditional dating of *Oath*. Von Staden, who discusses this section in a particularly illuminating way, incorporates into his argument the relevance of the well known elegiac couplet thought to have been inscribed over the entrance to the temple of Asklepios at Epidaurus.[164]

ἁγνὸν χρὴ ναοῖο θυώδεος ἐντὸς ἰόντα

ἔμμεναι· ἁγνείη δ' ἐστὶ φρονεῖν ὅσια.

Anyone that enters here into the fragrant temple must be pure:

Purity is to think holy thoughts.

163 It is interesting to remember here the closing sentence of *The Law* (Loeb II, 264): Τὰ δὲ ἱερὰ ἐόντα πρήγματα ἱεροῖσιν ἀνθρώποισι δείκνυται· βεβήλοισι δὲ οὐ θέμις, πρὶν ἢ τελεσθῶσιν ὀργίοισιν ἐπιστήμης. Here, βέβηλος would presumably be the *unhallowed* or *profane. LSJ*: β. καὶ ἀνόσια ἐνθυμήματα *Ph. 2.165.*

164 von Staden, 1996.

Von Staden believes this couplet to have been composed "no later than the early fourth century B.C.E." However, others, notably Bremmer,[165] question this date, countering von Staden's notion that purity had already been internalized[166] as a controllable element of mental life by this time with the suggestion that physicians of the Hellenistic period had already reworded *Oath* to accord with current notions of mental purity.[167] Pointing to the second-century fragmentary version of *Oath* (*P.Oxy*. 31.2547) in which an indeterminable adverb (?? ως) is followed by καὶ εὐσεβῶς, Bremmer suggests the possibility of "ὁσίως καὶ εὐσεβῶς." He further notes that ἁγνός and εὐσεβής do not occur together in classical times. K. J. Dover, interestingly, made the observation that there is "a strong tendency to synonymy of εὐσεβής and ὅσιος," which would indeed account for the absence of the coincidence of ἁγνός and εὐσεβής and the higher probability of εὐσεβής appearing together with ὅσιος. With regard to this point in general, Dover is also illuminating in his discussion of piety.[168] *Index Hippocraticus* shows that ὅσιος as an adjective occurs only twice in the *Hippocratic Corpus*, both occurrences being in late works.[169] However, ἀνόσιος occurs *four* times, three of which

165 Jan N. Bremmer, "How Old Is the Ideal of Holiness (Of Mind) in the Epidaurian Temple Inscription and the Hippocratic Oath?" *Zeitschrift Für Papyrologie Und Epigraphik* 141 (2002): 106–08. http://www.jstor.org/stable/20191525.

166 von Staden, 1996, 429–431. However, earlier in the same paper (409), von Staden remarks in connection with the closing section of Oath: "External human approbation and its benefits, not internalized moral beacons, here (9.i–ii) thus appear to constitute the spur and the bit." Also, interestingly, *The Physician*, although undoubtedly late (Hellenistic or Christian), has τὴν μὲν οὖν ψυχὴν καὶ το σῶμα οὕτω διακεῖσθαι (*Medic*. Littré IX; Loeb II, 312).

167 See also Joannis Mylonopoulos, *Epigraphic Bulletin for Greek Religion,* 2002 (*EBGR* 2002, no. 15) for a counterargument to Bremmer. Also see n. 137 on Ar. *Ran*. 355: ὅστις γνώμῃ μὴ καθαρεύει.

168 Dover, 1994, 246–254. Dover is worth quoting in full: "Actions which the gods approved or at least permitted were called *hosios*, 'righteous', and transgression of the divine rules was *anhosios;* a negative aspect of *hosio*s is conspicuous in the distinction (important in Attic law and administration) between 'sacred (hieros) money', which belonged to the gods, and 'hosios money', which, since the gods had no claim to it, could be spent for secular purposes. The formal distinction of *hosios* with *dikaios* was sometimes augmented by reference to '*both* gods *and* men', as if recognising a distinction between divine law and man-made law (e.g. Ant. I 25, Lys xiii 3); but, as we shall see, the distinction became of little practical significance in the fourth century. A strong tendency to synonymy of *eusebēs* and *hosios* is observable even earlier, and that should not surprise us." (248)

169 *Or. Thess*. 9,24,10; *Jusj.II* 6,3.

occurrences are in *The Sacred Disease*, a telling instance of which being in the superlative (καθαρμοῖσί τε χρέονται καὶ ἐπαοιδῇσι, καὶ ἀνοσιώτατόν τε καὶ ἀθεώτατον πρῆγμα ποιέουσιν, ὡς ἔμοιγε δοκεῖ).[170] Likewise, ἁγνός appears elsewhere in the Corpus only once, in the form of an adjective in the superlative τὸ ἁγνότατον,[171] where it is used to describe the nature of the *divine* as opposed to the nature of *man*. Thus the only other instance of ἁγνός in the *Corpus* occurs in an early work (*The Sacred Disease*, thought to be fifth century and belonging to the school of Cos), which articulates a strong awareness of the divine and the human element in the profession of medicine. The verbal form ἁγνεύω, occurring but once in the Corpus (again in *The Sacred Disease*), is perhaps the earliest reference in Greek literature to the act of purifying oneself as a qualification to entering a sacred precinct.[172]

Jouanna[173] takes as his prime point of reference Scribonius Largus' account of Hippocrates: "He consequently attached great importance to each individual's guarding the name and honour of medicine with a holy and pure mind (soul); for medicine is the science of healing, not of harming."[174] These lines follow soon after Scribonius Largus' description of *Oath*'s committing the swearer to avoid giving or suggesting an abortifacient: (ut ne praegnanti quidem medicamentum, quo conceptum excutitur, aut detur aut demonstretur a quoquam medico).[175] Jouanna emphasizes the logical link expressed by *ergo*, pointing to *pio*

170 *Morb. Sacr.* Loeb II, 148, 5 (*The Sacred Disease*); Littré, 6,362,7. A second instance from *The Sacred Disease* (*Morb. Sacr.* Loeb II, 145) brings together εὐσεβής, θεός, ἀνόσιος, a contrast that illuminates piety and impiety in the Hippocratic context: Καίτοι ἔμοιγε οὐ περὶ εὐσεβείης δοκέουσι τοὺς λόγους ποιέεσθαι, ὡς οἴονται, ἀλλὰ περὶ δυσεβείης μᾶλλον, καὶ ὡς οἱ θεοὶ οὐκ εἰσὶ, τό τε εὐσεβὲς καὶ θεῖον αὐτῶν ἀσεβὲς καὶ ἀνόσιόν ἐστιν, ὡς ἐγὼ διδάξω.

171 Ibid., 148, 50; Littré 6,362,17.

172 Ibid. (… αὐτοί τε ὅρους τοῖσι θεοῖσι τῶν ἱερῶν καὶ τῶν τεμενέων ἀποδεικνύμενοι, ὡς ἂν μηδεὶς ὑπερβαίνῃ ἢν μὴ ἁγνεύῃ, εἰσιόντες τε ἡμεῖς περιῤῥαινόμεθα οὐχ ὡς μιαινόμενοι, ἀλλ᾽ εἴ τι καὶ πρότερον ἔχομεν μύσος, τοῦτο ἀφαγνιούμενοι. Καὶ περὶ μὲν τῶν καθαρμῶν οὕτω μοι δοκέει ἔχειν.)

173 Jouanna 2018 (Budé I (2)), 28–32.

174 Scribonius Largus, *Compositiones*, Epistola dedicatoria, 4–5: "magni ergo aestimavit, nomen decusque medicinae conservare pio sanctoque animo quemque, secundum ipsius propositum se gerentem. Scientia enim sanandi non nocendi, est medicina."

175 Ibid.

sanctoque animo as an accurate Latin translation ("...a traduit avec précision...") of the adverbs ἁγνῶς δὲ καὶ ὁσίως.[176] The adverbs in Latin are reversed, however, and while *pio animo* would equate to ὁσίως, ἁγνῶς does not necessarily equate with *sancto animo*.

Whatever the truth of the matter, these two cardinal adverbs, ἁγνῶς and ὁσίως, are certainly a significant consideration in any attempt to date *Oath*, as well as bearing witness to a pervasive theme of *Oath*: man's duties to *the gods* and man's duties to his *fellow man*. It is, after all, Asklepios who stands between Apollo and the physician.

This pair of adverbs, thrust to the front of the sentence, qualify the centrally placed verb διατηρεῖν, which shares common ground with εἴργειν, in that it includes connotations of (keep someone from something by) *keeping an eye on*, *guarding*, or *watching closely* (so as to keep from harm). The verb φυλάσσειν would serve to paraphrase both διατηρεῖν and εἴργειν, both verbs being descriptive of the ancient Greek virtue of ἐγκράτεια.[177] Διατηρεῖν is an emphatic form of τηρεῖν,[178] the prefix being separable (as in Plat. *Laws* 8.836d), here indicating the constant vigilance that must permeate *throughout* the life and career of the physician. This verb is used reflexively in the famous injunction of Acts 15:29, ἐξ ὧν διατηροῦντες ἑαυτοὺς εὖ πράξετε, "you will do well to keep yourselves from such things." Thus signifying not only *guard*, but also *keep*, *maintain*, and *preserve*, διατηρεῖν is used elsewhere in the Corpus only twice, in the late works *Letters* and *Decorum*.[179] In the first of

176 Jouanna 2018 (Budé I (2)), 29.

177 Literally, *self-control*, *temperance*. The expression ἐγκρατέως ἔχειν appears in the well-known section of *The Physician* (Loeb II, 312).

178 The verb is also used of *keeping an oath*. (Democr. 239). It is also used by Soranus in his *Gynecology* (Sor. *Gyn* 1. 60): καὶ ὅτι τῆς ἰατρικῆς ἐστιν ἴδιον τὸ τηρεῖν καὶ σῴζειν τὰ γεννώμενα ὑπὸ τῆς φύσεως, where it seems to mean *watch over* in the sense of *look after*, *care for*.

179 *Ep.* 9,400,11: ἐπακολουθοῦντα τοῖς σημείοις ... διατηρεῖν τον καιρὸν, where we find *a close observation of the physical signs, being constantly aware of timing of each one* (my paraphrase) and *Decent.* 9.244.4 (τὴν ἑτέρην διατηρέοντα φυλάσσειν..., an enigmatic conclusion, where the emphasis is on guarding the

these instances, διατηρεῖν is used to refer to the close monitoring of the patient, while in the latter it is used in direct conjunction with φυλάσσειν to refer to the jealous guarding of a mysterious τὴν ἑτέρην, which Jones suspects as forming part of a "secret formula." From these two instances, however, we see that διατηρεῖν is well suited to a religious context,[180] in addition to the medical monitoring of symptoms. This is also the case with παρατηρέω, another compound of the same verb, which is used not only to signify strict *religious observance*, but also the close *monitoring* of a patient by a physician, as in the section of *Appendix to Regimen in Acute Diseases,* where we find an illuminating description of the essence of the dietetic art.[181] In this passage, παρατηρεῖν is reinforced with παραφυλάσσειν to signify the strictest medical monitoring. Choice of this compound of τηρεῖν in the context of *Oath*, therefore, ingeniously interweaves the medical and religious connotations into the texture of *Oath*. However, as von Staden points out, "guard one's life" is not typical of Greek in the classical period, being more common in the Hellenistic period and later.[182]

Both *bios* and *technē* are used with the definite article, being strongly reminiscent of ὁ βίος βραχὺς, ἡ δὲ τέχνη μακρὴ ([our] life is short; [our] art is long), the famous Hippocratic aphorism wherein we see *bios* conceived of as the lifespan (or transient unit as object of judgment or assessment) of the individual physician in contrast to his *technē*, the inter-generational sum of individual achievement. In the aphorism, βίος clearly denotes the

"mysteries of the craft" (Jones, Loeb II, 301).

180 The noun is used by Philo in the striking combination ἡ δέ μνήμη φυλακὴ καὶ διατήρησις τῶν ἁγίων δογμάτων. Phi. 1.203 (Loeb, Philo I, Colson and Whitaker, *Allegorical Interpretation* I, 16, 180).

181 *Acut.(Sp.)* 54 (Loeb VI, 316).

182 von Staden, 1996, 417, n. 27.

human lifespan. In the context of *guarding* one's life, it is most natural to interpret βίος as *the way in which a life is lived*, rather than *livelihood*, which seems a likely translation at 1.v.[183]

3-7 Commitment to referrals of patients requiring surgery (5.i.–5.ii.)

This sentence consists of two contrasting clauses simple in structure, but without conjunction: *I will not* ...[and/but] *I will*. The challenge lies in the interpretation of the first clause, specifically, the interpretation of οὐδὲ μὴν. Ignoring these two words altogether gives us: *I will not operate on (cut) those suffering from stones*, taking us logically to the third approach to treatment, namely surgery, following on from dietetics and pharmacy. In the simplest terms, οὐδὲ μὴν means *neither by any means*,[184] allowing us to interpret the clause as a complete prohibition on operating on patients, with an added emphasis on the avoidance of operating on patients suffering from urinary stones. As pointed out by Jones,[185] another possible meaning could include "As to operating, I, furthermore, will not operate for stone." With the notable exception of Émile Littré,[186] this interpretation is not favored by later commentators, who prefer to interpret this clause as a total "prohibition" on surgery, οὐδὲ μὴν being variously translated as "certainly not" (von Staden), "not even" (Edelstein). While J. D. Denniston[187] indicates the possibility "not even," he nonetheless admits that "the whole

183 von Staden, 1996, 420: "It seems more likely that 'life' here (5.iii) is used in the primary classical sense of the Greek word *bios,* that is, to signify 'mode of life' or the 'manner of living one's life,' that is, the ways in which a person shapes the series of voluntary activities, and the responses to involuntary experiences, which make up his or her history, or the totality of actions and occurrences that constitute a given human being's consistent manner of living. If this is what 'life' means here, the speaker or reciter undertakes to guard and maintain continuously a certain consistent, individual ('my') mode of living, one that depends in great measure upon his own actions and hence upon his deliberate choices."

184 Also, possibly, "especially not," "let alone."

185 Jones, 1924.

186 Littré, 4, 610–633. Littré also admits of the possibility that τέμνω signifies castrate (See *LSJ*, s.v. "τέμνω 4."): Littré, 4, 620. Interestingly, while there is no evidence that castration has any beneficial effects on calculi, it is known to produce the condition in goats: "While urinary calculi can occur in intact males, wethers are at greatest risk because castration of young males removes the hormonal influence (testosterone) necessary for the penis and urethra to reach full size." Susan Schoenian. 2005. "Urinary calculi in sheep and goats." Maryland Small Ruminant Page. Accessed April 17, 2018. https://www.sheepandgoat.com/urincalc.

187 John Dewar Denniston, *The Greek Particles* (second edition, revised by Kenneth. J. Dover), (London: Gerald Duckworth, 1996), 341. In connection with this particle, so crucial to the interpretation of *Oath*, it is of great use to read Denniston's entire section on μάν μήν μέν (328–358). 329: "Μήν fulfills three

sentence is much disputed." As is not infrequently the case, the particle could be taken to mean *and especially*/*above all … NOT*.[188] A further possibility is that it could be interpreted as amplifying the earnestness of the swearer's pledge, i.e., *in all earnestness* / *in all truth*.[189] Other instances of οὐδὲ μὴν in the Hippocratic treatises include *Fleshes* III[190] and *Decorum* I.[191] In each case, the particle is used with emphatic nuance, giving the impression that, on balance, *not even*, easily expressed otherwise, is without sufficient precedent, and is too forced as a translation in this context.

We need to ask whether the instance of patients suffering from calculi is used here as an illustration of exceptional surgical risk (difficulty) or of outstanding pain. If pain is in question, then *not even* reads more naturally. Perhaps it is Miles who states the case most succinctly: "The history of surgery can be used in a different way to date this passage...Assuming that the Oath is properly dated, is it possible that this one passage was inserted into the Oath during the Roman or early Christian period?"[192] As Miles suggests, this is plausible, because the prohibition on surgery applying solely to a specific section of the medical community is "not representative of Greek thinking in 400 BCE." At this period, surgery was proudly advertised as an integral part of Greek medicine (See Plato's remarks on regimen, for example, and the scope and authority of the Hippocratic *On Wounds in the Head*.) and was certainly not subject to taboos, although it was regarded as a last resort in certain cases.[193] It is significant that *Oath* does not negate the usefulness of surgery; it simply

functions: (1) as an emphatic particle: (2) as an adversative connecting particle: (3) as a progressive connecting particle."

188 *LSJ* s.v. μήν (2) και μήν: " simply to add an asseveration..." "frequently to introduce something new or deserving special attention...," "in Orators to introduce new arguments..."

189 Xen. *Anab*. 6.1.31: : ὀμνύω ὑμῖν θεοὺς πάντας καὶ πάσας, ἥ μὴν ἐγώ, ἐπεὶ τὴν ὑμετέραν γνώμην ἠσθανόμην, ἐθυόμην...

190 *Carn*. Littré: 8,586,9; Potter: Loeb VIII, 134 = *nor indeed*, *let alone.*

191 *Decent*. Littré: 9,226,6; Jones: Loeb II, 278 = *nor indeed*, *not to mention.*

192 Miles, 2004, 208–212.

193 Also worth noting are references to surgery by Asklepios appearing to sufferers in dreams at incubation shrines (*epiphaneia*). See Fritz Graf, "Healing (Chapter 34): Healing in the Temple: The Epidaurian Iamata and Related Texts," in *The Oxford Handbook of Ancient Greek Religion*, ed. Esther Eidinow, Julia Kindt (Oxford, 2015), 508.

promotes referrals, although the strictest interpretation of ἁγνῶς, according to conventional knowledge of pre-classical and classical usage, would be consonant with a commitment to refrain from cutting into flesh.[194] What we can definitively conclude in regard of these two clauses as they stand is that they urge an awareness of the swearer's own domain of expertise and the necessity of leaving other domains to the specialist practitioners thereof. In this sense, there are echoes of what has preceded, in that the swearer commits himself to *maintaining* [an awareness of the boundaries of] *his technē*. Edelstein's view that the discrepancy between the popularity of surgery in the fourth century and the necessity of the swearer of *Oath* to refrain from it can be explained by regarding *Oath* as a Pythagorean bridge from paganism to Christianity is regarded with skepticism these days. Nonetheless, nothing new has thus far been proposed to account for this discrepancy, except, needless to say, the tempting possibility of a later interpolation. In this connection, however, it is worth recalling the observation of Jones regarding the pagan version of *Oath* found in the Milan manuscript *Ambrosianus B 113 sup*. In this version, the passage in question reads thus: οὔτ'ἐμοῖσί δὲ οὔτ'ἄλλοισιν ἐκχωρήσω ἀνδράσιν ἐργάτῃσιν πρήξιος τῆσδε. The first two syllables of both versions are significantly identical, but this variant version extends the context more naturally into an even more universal "prohibition" of abortion. While we have a more convincing text in terms of the continuity of discourse, the question of historical mismatch regarding the sanctity of the unborn becomes even stronger—even if we ignore the evidence of fragment *P.Oxy.*III 437's

194 Treatments for calculi in *CH* are by liquid medicines prepared to flush out the stone. See *Morb*.I 6,154,10: καὶ λιθιῶντι φάρμακον δόντες, τὴν λίθον ἐς τὸν οὐρητῆρα προέωσαν ὑπὸ βίης τοῦ φαρμάκου, ὥστε ἐξουρηθῆναι· *Having given medication to a patient suffering from stones, they forced the stone into the urethra through the momentum of the medication, thus allowing it to be flushed out in the urine*. Also, *Nat. Mul*. 7,416,7 Ἡ παρθένος λιθιήσῃ...,when *salvia æthiopis* in old wine is prescribed.

λιθιῶντ[ας ὡς καὶ][195] and of the Arabian translation, both of which have the promise not to operate on bladder stones.[196]

Common to the canonical text and *Ambrosianus* is the verb ἐκχωρεῖν, which, in the sense of *give way to a person* (dative) *in a matter* (genitive), is not otherwise found in the *Hippocratic Corpus*.[197] Indeed, *LSJ* cites no other examples of such usage, although the syntax feels quite intuitive as a bringing together of two regular constructions. There is one instance in *Letters* where the verb is used figuratively.[198] The verb itself is common enough in the *Hippocratic Corpus* in its more conventional meaning *res e corpore*.[199] The sense of this construction, though rare, is clear enough: t*o bow out of*, *withdraw from somewhere in favor of someone else* (leave the field of whatever (i.e., genitive) open to whomever (i.e., dative). The noun ἐργάτης indicates a practitioner of a *technē*, while ἀνήρ was often used as adjunct of titles and professions,[200] the two nouns in apposition thus meaning a *professional practitioner*, *craftsman*, or *expert*. The only other occurrence of ἐργάτης in the *Hippocratic Corpus* occurs in *Nature of Man* as an adjective signifying *industrious*, *hardworking*.[201]

Πράξις*,* used here in the sense of *procedure,* can also signify *transaction*, *business*, or *practical ability*. The intent of this clause, however, is unmistakable: surgery must be left to those who devote themselves to the practice, and are therefore most competent to carry it out successfully. In other words, the true physician's objective must lie in *successful outcome* rather than self-esteem, which is certainly consonant with the later commitment to hold in

195 Jouanna 2018 (Budé I (2)), XVI.
196 Jones, 1924, 29–33.
197 von Staden, 2007, 448.
198 *Ep*. 9,330,23: translated by Littré as *s'écarter.*
199 *Index Hippocraticus*, s.v. ἐκχωρέω. Interestingly, Polybius uses the compounds παραχωρῶ and ἐκχωρῶ together, the latter very emphatically with κατὰ δύναμιν (*never yield as long as I can possibly help it*): ἐγὼ δὲ περὶ μὲν τῶν ἄλλων, ὅτου δέοι, παντὸς ἂν παραχωρήσαιμι τοῖς πέλας ἀφιλονίκως, περὶ δὲ τῆς ὑμετέρας φιλίας καὶ τῆς εἰς ὑμᾶς εὐνοίας ἁπλῶς οὐδέποτ' ἂν οὐδενὶ τῶν ὄντων ἐκχωρήσαιμι κατὰ δύναμιν. Here he uses περὶ to focus *in regard of what* he will never yield; the *person never to be yielded to* is expressed in the dative.
200 von Staden, 2007, 448.
201 *Nat.Hom*. Littré: 6,62,6; Jones: Loeb IV, 34.

check any hubristic urge. It is significant that, though *Oath* abounds in first-person references to an extent that is uncharacteristic of the Hippocratic works,[202] it is precisely because it is only through an awareness of the self and the power to restrain the ego that the conditions of *Oath* are likely to be fulfilled.

4 Responsibilities to patients and their households (6.i.–7.ii.)

From undertakings concerning the ethics of the various approaches to medical treatment, *Oath* here turns to the ethics of human relations, specifically dealings with patients.

4-1 Commitment to benefiting the sick, repudiation of wrongdoing and exploitation (6.i.–6.ii.)

The syllable ἐ(ι)ς occurs three times within the space of seven words, indicating motion both *toward* and *into*, the verbs εἶσειμι and εἰσέρχομαι being used one after the other. If one moves *toward* something and *into* it, then one necessarily moves *out* of something and *away* from it: *Oath* takes us from the public space and into the private. Οἰκία signifies not only the dwelling itself but also the household unit and all those therein. The physician is thus seen as entering the domain of the head of a household as someone from without, arriving with express purpose of bringing benefit to the patient within. Ἐπ'ὠφελείῃ is an expression standard in classical Greek and is reminiscent of the well-known phrase from *Epidemics I*: ἀσκεῖν περὶ τὰ νοσήματα δύο, ὠφελεῖν ἢ μὴ βλάπτειν.[203] Indeed, the antonym of ὠφελεία is βλάβη, which, whether as verb or noun, makes no appearance in *Oath*, where βλάβη is expanded through δήλησις and φθορά to the all-embracing ethical abstract ἀδικία,

202 von Staden, 2007, 437: "This dense use of ἐμός, along with the unusual accumulation of verbs in the first person singular …, all in a very brief text, not to mention the uses of (ἐ)με μοι, and the many participles in agreement with the first person singular, signals the intensely personal nature of the performative enunciation of this oath."

203 *Epid*. 1.2.11 (Loeb I, 164).

characteristically indicative of the comprehensive aspiration of *Oath*.[204] The *inside*/*outside*, *within*/*without* contrast is fortified by the use of the idiom ἐκτὸς εἶναι,[205] paralleling the development of the English "without," in the sense that being *outside* something means being *free from* it, *far from* it, or *beyond* it. Here again the sense is of professional vigilance and restraint in a conscious effort to keep wrongdoing at a distance, reminiscent of the Latin *arceo* and redolent of the ritualistic. Indeed, echoes of *favete linguis* are not long in coming.

Von Staden points out that ἀδικίη is absent from the *Hippocratic Corpus*, except in one post-Hellenistic instance.[206] Yet ἀδικίη, as ἀδίκημα, is, even without ἑκουσίης, indicative of deliberate wrongdoing as opposed to ἁμάρτημα, which would be a sin in the sense of a failure or unsuccessful outcome (negligence). The Greeks of the fourth century were conscious that the killing of a fellow human could fall under τὸν δίκαιον.[207] Likewise, the death of a patient as a result of the mishandling of a case was considered neither illegal nor unjust.[208]

The *LSJ* revised supplement of 1996 tells us to delete the entry φθορία = *corruption*, *mischief*, in which case we would need to treat φθορίης as adjectival and translate *voluntary and destructive injustice/wrongdoing*, which feels hefty and overstated rather than elevated. Jouanna (2018) points to the solution lying with φθορή of *Ambrosianus*, while at the same

204 See Edelstein, 1967, note 72: "Mischief (δήλησις) obviously is identical with what Aristoxenus calls βλαβεραὶ ἐπιθυμίαι; injustice (ἀδικία) is a concept that is implied by ὑβριστικαὶ ἐπιθυμίαι..."

205 An interesting instance of ἐκτὸς εἶναι in a similar sense occurs in Sophocles' Philoctetes (Soph. *Phil.* 504): χρὴ δ' ἐκτὸς ὄντα πημάτων τὰ δεῖν' ὁρᾶν / χὥταν τις εὖ ζῇ, τηνικαῦτα τὸν βίον / σκοπεῖν μάλιστα μὴ διαφθαρεὶς λάθῃ. Here too, Philoctetes is only too aware of the consequences of letting down one's guard when at the helm of *bios*. Carl Phillips renders thus: "When free from distress, we should be on the alert for what's terrible, and when life is going well, look especially then to our lives, that they haven't been destroyed while we weren't looking."

206 von Staden, 2007, 448.

207 Dem. 20 158. (where we also find the verb ἔργω): ὅμως οὐκ ἀφείλετο τὴν τοῦ δικαίου τάξιν.

208 Antiph. 4. 3. 5: ὁ μὲν ἰατρὸς οὐ φονεὺς αὐτοῦ ἐστιν, ὁ γὰρ νόμος ἀπολύει αὐτόν.

time adopting τε τῆς ἄλλης over τῆς τε ἄλλης. I agree that φθορή is far more probable in this case, denoting as it does *sexual corruption*, *sexual exploitation or seduction*, in the general sense before moving to specifics.[209] There is, however, a distinct echo of the undertaking to avoid abortion by pessary (πεσσὸν φθόριον). The feminine noun φθορά (φθορή) has a far wider semantic range than simply *destruction*: *death*, *ruin*, *deterioration*, *damage*, *seduction*, *rape*, *abortion* and *miscarriage*. Φθορή extends and amplifies the forgoing themes of biological destruction by now adding moral corruption and willful exploitation, thus taking us immediately into the next phrase. Von Staden remarks that it is "striking that all the occurrences of ἀφροδίσια ἔργα outside the Oath are post-classical," although ἀφροδίσια alone is common enough in the Hippocratic treatises to indicate *sexual intercourse*.[210] This is a pledge to refrain from any sexual conduct with any member of the household and is thus a promise to guard the honor of the head of the household. The need for *Oath* to abjure this possibility perforce suggests that corruption and seduction of this nature was not uncommon. Yet there existed no legal constraints against sexual relations between a visiting doctor and a member of the household visited as long as such were consensual. In this connection, Miles points to the possibility of a householder being tempted to pay the doctor's fee by in effect acting as procurer for a member of his household, the penalty for which was theoretically extremely harsh.[211]

Focusing with keen insight on the Greek concept of *hubris* in this context, Miles looks for clues in Dover's *Greek Homosexuality*, pointing to the section that concerns

209 Jouanna 2018 (Budé I (2)), 37–38. Also, for an excellent example of classical Greek usage, see Aeschin. 1 12: ἔνοχος ἔστω ὁ γυμνασιάρχης τῷ τῆς ἐλευθέρων φθορᾶς νόμῳ. In other words, by admitting any male older than the boys themselves, a gymnasiarch will be subject to the law governing the seduction of freeborn youth.

210 See note 179 on *Ep.* 9,400,11, preceding which are prescriptions governing lifestyle and directed to the maintenance of health: καὶ μήτε ταῖς των ἀφροδισίων ἀκρασίαις...given by Littré as "intempérances vénériennes."

211 Miles, 2004, 139.

Aiskhines' prosecution of Timarkhos.[212] *Aeschin.* 1.15 is particularly pertinent in specifically articulating the gender, status and age of any wronged individual: *The law against outrage, which includes all such conduct in one summary statement, wherein it stands expressly written: if any one outrage a child (and surely he who hires, outrages) or a man or woman, or any one, free or slave, or if he commit any unlawful act against any one of these. Here the law provides prosecution for outrage, and it prescribes what bodily penalty he shall suffer, or what fine he shall pay.*[213] In such contexts, the injustice in question is outrage (*hubris*) and the guilty are both the one who hires out (ὁ μισθώσας) the sexual services of one in his charge and the one to whom they are hired out (ὁ μισθωσάμενος). *Oath* uses the word μισθὸς to signify the physician's fee, while Aiskhines in this context uses the verbal form with the meaning of *to prostitute*. Either way, such references to Athenian law demonstrate that a transaction involving the trading of sexual services provided by any member of a household in exchange for medical attention would seriously incriminate both the head of the household and the physician. Moreover, this passage of *Oath* reminds us that *Oath* is here no less concerned with contemporary *law* than it was in the first section, i.e., concerning the stipulation of guarantees of indenture. Contravention of the stipulations governing sexual conduct would certainly constitute ἀδικίη. Indeed, Hesiod sees *hubris* as an opposing force to δίκη (Hes. WD217). Also, *Oath* gives us *male*/*female* and *freeman*/*slave* pairs, though the law

212 Kenneth J. Dover, *Greek Homosexuality* (London: Duckworth, 1979), 27. The law as quoted by Aiskhines is worth giving in full as summarized by Dover:
(a) If a man who has prostituted himself thereafter addresses the assembly, holds an administrative office, etc., then an indictment, entitled 'indictment of hetairēsis', may be brought against him, and if he is found guilty, he may be executed. The relevant passages are §§20, 32,40, 73,195.
(b) If the father or guardian of a boy has hired him out for homosexual use, both the father (or guardian) and the client are liable to punishment. See further§§ 13f.
(c) Acting as the procurer of a woman or boy of free status (i.e. not a slave) incurs the severest penalty (§ § .14, 184).
(d) Hubris committed against man, boy or woman, of free or slave status, also incurs severe penalties (§§ 15f.).

213 (Translation: Adams, Loeb 1919) Aeschin. *In Tim*. 15: ἐάν τις ὑβρίζῃ εἰς παῖδα (ὑβρίζει δὲ δή που ὁ μισθούμενος) ἢ ἄνδρα ἢ γυναῖκα, ἢ τῶν ἐλευθέρων τινὰ ἢ τῶν δούλων, ἢ ἐὰν παράνομόν τι ποιῇ εἰς τούτων τινά, γραφὰς ὕβρεως εἶναι πεποίηκεν καὶ τίμημα ἐπέθηκεν, ὅ τι χρὴ παθεῖν ἢ ἀποτεῖσαι.

also makes the contrasting distinction of *adult*/*child* (boy).[214] This may explain why *Oath* uses the adjectives (*male*, *female*) rather than the genitive plural, (*of men*, *of women*): the adjectives give us enough range to include *hubris* against children, especially boys.[215] Thus *deliberate wrongdoing and corruption* (*sexual exploitation*) is an explicit articulation of *hubris*, thereby emphasizing the necessity on the part of the physician to remain vigilant against any arrogance in himself that might lead to the abuse or exploitation of anyone in the extended household of patients.[216]

The first ἀδικία of *Oath* refers to an undertaking on the part of the physician to protect his patients from the wrongdoing of others, while the second ἀδικία of *Oath* signifies a pledge to protect patients from his own innate imperfections, most notably arrogance. In this respect, *Oath* once again demonstrates a consciousness of the simultaneous interplay of the internal and the external.

4-2 Absolute commitment to confidentiality (7.i.–7.ii.)

The verb in the principal clause remains in the future tense, the classical future of σιγάω being expressed in the middle. Here the verb is used transitively with a nuance of *keep ... secret*, and is characteristic of the elevated tone of an oath.[217] The interpretation of κατὰ βίον ἀνθρώπων, which Von Staden points to as post-classical,[218] is difficult to interpret

214 Again, for example in Dem. 21 47, gender, status, and age are enumerated explicitly: ἐάν τις ὑβρίζῃ εἴς τινα, ἢ παῖδα ἢ γυναῖκα ἢ ἄνδρα, τῶν ἐλευθέρων ἢ τῶν δούλων...

215 Dover (Dover, 1979) leaves hubris untranslated, but defines it later as:
*"*Hubris is a term applied to any kind of behaviour in which one treats other people just as one pleases, with an arrogant confidence that one will escape paying any penalty for violating their rights and disobeying any law or moral rule accepted by society, whether or not such a law or rule is regarded as resting ultimately on divine sanctions."

216 Even later, Dover describes hubris as "a wish on [a person's] part to establish a dominant position over his victim in the eyes of the community, or from a confidence that by reason of wealth, strength or influence he could afford to laugh at equality of rights under the law and treat other people as if they were chattels at his disposal."

217 For example, Hdt. 7.104: τἆλλα σιγᾶν θέλω τὸ λοιπόν. Von Staden points out that there is no other instance of this verb being used transitively in the *Hippocratic Corpus*.

218 von Staden, 2007, 452.

otherwise than *in the course of human life*.[219] In as much as θεραπεία represents *technē*, it is regarded as an entity other than, but consonant with, *bios*:[220] *and in the course of my non-professional dealings in human society*. Whoever formulated *Oath* surely saw it as transformative, marking the initiation into a higher calling. This consciousness of belonging to a profession higher than most is no doubt why *Oath* is at pains to admonish against misguided *hubris*. The acute awareness of avoiding ἀδικία in *Oath* is directly related to the idea that δίκη involves man's interaction with man: hence, κατὰ βίον ἀνθρώπων naturally forestalls δοξαζομένῳ παρὰ πᾶσιν ἀνθρώποις at the close of *Oath*.

Ἄνευ, used in contrast to ἐν, no doubt signifies *except* or *besides*.[221] That which is ἄνευ θεραπείης, namely everything besides the care of patients, would presumably fall within the realm of *bios*. *Bios* is how *Oath* declares the physician's shared humanity and mortality with mankind. *Technē* is what elevates the physician to something less transitory. Ἄνευ θεραπείης in the case of the physician having entered a household would be any knowledge gained of the circumstances of that household incidental to his professional role there. The aspirant physician swears, therefore, to remain silent about whatever he may see or hear of a patient's medical condition or the circumstances of the patient's household in general, which are never to be disclosed outside.[222]

Ἐκλαλέεσθαι ἔξω, σιγήσομαι, ἄρρητα, the three cardinal elements of this solemn undertaking, are thrown dramatically together. The promissory verb in the first person future

219 For a subjective view of the caring profession and the life of mortals from start to finish: Euripides' *Hippolytus* (*Hipp.* 186–190): κρεῖσσον δὲ νοσεῖν ἢ θεραπεύειν: / τὸ μέν ἐστιν ἁπλοῦν, τῷ δὲ συνάπτει / λύπη τε φρενῶν χερσίν τε πόνος. / πᾶς δ' ὀδυνηρὸς βίος ἀνθρώπων / κοὐκ ἔστι πόνων ἀνάπαυσις. In short, *it's better to be a patient than tend the sick, for the latter involves both mental and physical toil. Indeed the life of mortals is one of unceasing anguish!*

220 See Miles (2004, 152) on the dishonoring effect of profane speech: "...the need for a moral coherence between a physician's personal [life: *bios*] and professional life [*technē*]."

221 Von Staden (2007, 451–2) remarks that there are no other instances of the collocation in classical Greek other than a disputed work of Aristotle.

222 I interpret this as a non-restrictive relative clause expressing the reason.

is set dead center between the two reasons for silence: ἐκλαλέεσθαι expresses slovenliness (lack of professional awareness), while ἄρρητα connotes vigilance and restraint. Von Staden describes this combination as "effective," because of the difference in *register* of these two words. In the *Hippocratic Corpus*, ἐκλαλεῖν, here intensified by μὴ ... ποτε, appears in this instance and nowhere else. It occurs but once in the New Testament, too.[223] Jouanna (2018) comments on the rarity of the compound ἐκλαλεῖν in classical Greek. As instances of classical usage of this verb, two will suffice from Demosthenes *Olynthiac I* and *On the False Embassy*,[224] each instance of which demonstrates the two basic connotations of this verb: *to noise abroad rashly* and *to divulge what has been entrusted to one in confidence*. Von Staden makes it clear the *collocation* of ἐκλαλεῖν and ἄρρητος belongs to a much later period, namely Philo of Alexandria.[225] It is true that λαλεῖν increasingly came to be used as an alternative to λέγειν, being very characteristic of Koine Greek. However, as the instances from Demosthenes indicate, ἐκλαλεῖν in itself is not necessarily a sign of later Greek. Though clearly of a later date, the single instance in the New Testament also bears witness to gravity. The clash of tone arises, rather, from the laxity and carelessness inherent in ἐκλαλεῖν contrasted with the vigilant discipline demanded by ἄρρητος. This takes us back to the vigilant guarding of διατηρεῖν.[226] The adverb ἔξω signifies that we are still in the household of the patient, therefore making it rather a question of doctor-household confidentiality than

223 Acts, chapter 23:22 ... ὁ μὲν οὖν χιλίαρχος ἀπέλυσε τὸν νεανίσκον παραγγείλας μηδενὶ ἐκλαλῆσαι ὅτι ταῦτα ἐνεφάνισας πρὸς ἐμέ. "Tell no one that you have informed me of this."(RSV), i.e., of the plot to ambush and murder Paul).

224 Dem. 1 26: "utter at the risk of incurring a charge of insanity" and Dem. 19 42: "Who leaked the information to the Thebans?"

225 von Staden, 2007, 451.

226 Soph. *El*. 990: καὶ τὰ μὲν λελεγμένα / ἄρρητ᾽ ἐγώ σοι κἀτελῆ φυλάξομαι, i.e., "I will *keep* what you have said secret." In other words, that which is ἄρρητον is of necessity in need of *guarding*.

one concerning solely the doctor-patient relationship, which presumably, may be breached as long as it does not leave the confines of the household. Appearing nowhere else in the *Hippocratic Corpus*, ἄρρητος is a predominantly poetic adjective with myriad nuance, depending on context, and revolving around (1) *unspoken* and (2) *not to be spoken*. Accordingly, we could simply interpret this instance in *Oath* as "deeming such utterances never to have taken place." Yet this would be to ignore the pervasive register of *Oath*: the truer interpretation being consonant with the heavily religious connotation illustrated, for example, in *The Clouds* of Aristophanes, where it is used in a setting with σέβας, ἱερός, μυστοδόκος, and ἁγίος.[227] Ἐκλαλέεσθαι ἔξω σιγήσομαι, ἄρρητα: That these four words are are brought together in such proximity breathes *esoterica*, although Jouanna (2018) is at pains to deny this.[228] It also demonstrates, here as elsewhere, a thorough-going craftsmanship of expression that succeeds in attaining a powerful rhythmical sonority when recited. However, the presence of ἄρρητα is far more than simply a rhetorical device: it is central to *Oath*'s core concern of avoiding the ἀδικία of hubris, the universal stumbling block of such a privileged profession. Miles[229] draws our attention to a speech of Oedipus in Sophocles' *Oedipus at Colonus*:[230] Oedipus berates the arrogance and hubris of Creon (ὦ λῆμ' ἀναιδές, τοῦ καθυβρίζειν δοκεῖς, 960), no longer being able to hold back his indignation in the face of one who has crossed the boundary that separates ὅσιον and ἀνόσιον (οὐ γὰρ οὖν σιγήσομαι, σοῦ γ' εἰς τόδ' ἐξελθόντος ἀνόσιον στόμα 979–980), in that only an unjust (οὐ δίκαιος) man would fail to discriminate between what can be uttered and what cannot (ῥητὸν ἄρρητόν τ'

227 Ar. *Nu.* 302: οὗ σέβας ἀρρήτων ἱερῶν, ἵνα / μυστοδόκος δόμος / ἐν τελεταῖς ἁγίαις ἀναδείκνυτα, i.e., reverence for sacred rites that *cannot be divulged*.
228 Jouanna 2018 (Budé I (2)), 39: "Les secrets médicaux du *Serment* n'ont aucune connotation d'ésotérisme."
229 Miles, 2004, 151–152.
230 Soph. *OC*. 960–1013.

ἔπος). Oedipus' point is, of course, that his own sins (killing his father and marrying his mother) were not committed as a result of choice informed by knowledge of the facts, whereas Creon has made a deliberate decision to humiliate him and is thus guilty of hubris. What underlies the just and the unjust, the pious and the impious is the kind of awareness that can distinguish ῥητὸν from ἄρρητόν: thus the unjust and the impious arise from the voluntary desire to harm, hence Oedipus' contrasting use here of ἀέκων and ἑκών, which is precisely the distinction *Oath* makes at 6.ii., the *deliberateness* being the essence of hubris. Not only, then, does this sentence hark back to πάσης ἀδικίης ἑκουσίης καὶ φθορῆς, but is also an inevitable characteristic of a physician comporting himself ἁγνῶς δὲ καὶ ὁσίως both on the job and off. Here we have a sonorous, yet sharply defined commitment against the deliberate dishonoring of a patient's household through disclosure of confidential information gained during treatment, as well as a firm pledge to avoid all utterances that are likely to hurt the honor of one's fellow man in general. This is again an undertaking to protect the honor of patients and one's fellow humanity as a necessary consequence of *guarding* one's own. A modern articulation of this principle can be found in a recent comment by forensic anthropologist Sue Black, who says of what she has experienced in her professional life: "...I am bound by confidentiality, but even when I am not, I hold myself responsible for safeguarding the vulnerability of others, living or dead, and not betraying their secrets."[231]

Just as section 1 (1.viii. ἄλλῳ δὲ οὐδενί) of *Oath* ended with the swearer embarking on a medical career promising not to reveal what he has learned from his master's teaching outside the limits specified, so section 7 of *Oath* commits the swearer never to reveal what he has learned while interacting with his patients outside that setting. Just as the entry to a household was marked by the adverbial/prepositional ἐ(ι)ς, so the opposite direction is

231 Black, Sue. *All That Remains, a Life in Death* (London: Doubleday, 2018).

emphasized with the ἐκ of ἐκλαλεῖν and the adverbial ἔξω. We are thus led out of the household and back, full circle, into the domain of the gods invoked as witnesses and arbiters.

5 Rewards and curses (8.i.a.–8ii.b.)

Oath concludes with a solemn prayer to the divinities invoked as judges at the opening, recalling the opening words with the pointed repetition of the emphatic periphrasis ἐπιτελέα ποιέειν. While this section does conform to what we expect of a classical oath, it feels at first reading somewhat fastidious in its wording. Also, given that a formal oath necessarily constitutes a self-curse, our *Oath* is surprisingly mild in expressing the penalty for perjury. We should remember that the paradigm of all Greek oaths can justifiably be seen as that sworn by the Achaeans and the Trojans in the third book of the Iliad. The direct result of the eventual perjury on the part of the Trojans was the total annihilation of their city and people.[232]

Ὅρκον is thrust to the beginning of the sentence, followed by exactly the same idiom for *fulfill*, *bring to completion* as was used at the very opening of *Oath*. Οὖν (*therefore*, *and so*) signals that we have reached the conclusion of the proceedings. The first-person agent "I" shifts for the first time to a third-person impersonal optative, indicating that something higher is involved than personal will and determination. This shift is also signaled by the absence of the possessive from the reprise of the paired *bios* and *technē* in the form καὶ βίου καὶ τέχνης. *Oath* has thus far been characterized by economy of expression.[233] Yet, when we come to the self-curse explicitly expressed here, the formula used is not as economical as it might be, but

232 The penalty for perjury is graphically articulated: Hom. *Il.* 3.298–301.

233 von Staden, 1996, 420: "the entire text is meticulously crafted and structured so as to avoid redundancy while permitting thematic emphasis."

involves a degree of expansion to achieve comprehensiveness. In terms of grammatical structure, the Greek is thus: *To me fulfilling this oath and not compromising its true intent, let it be my lot to enjoy the fruits of life and technē as one held in good repute by all men for all eternity; to me swearing falsely and transgressing my oath, however, let the opposite befall*. In other words, *Let the rewards for me doing A and **NOT** doing B be thus, while let the reverse be the case for me doing C and doing D.* The contrast involves four participles used in a conditional sense: two qualifying such a swearer (first-person, dative) as fulfills the conditions of *Oath* and as does not contravene its spirit, and two qualifying such a swearer as perjures himself and contravenes the spirit of *Oath*. As von Staden points out, the more generic convention in ancient Greek oaths would be something like εὐορκοῦντι μέν μοι εἴη ἀγαθά.....ἐπιορκοῦντι δε τἀναντία: *If I swear truly, may blessings accrue to me; if I swear falsely, may the opposite be the case*.[234] Jouanna (2018) points to this lack of "systématisation" in *Oath* as being a sign of an earlier date.[235] In *Oath*, however, instead of εὐορκεῖν, we have ἐπιτελέα ποιεῖν coupled with μὴ ξυγχέειν, while ἐπιορκεῖν is paired with παραβαίνειν. Ἐπιτελέα ποιεῖν is a somewhat emphatic periphrasis meaning *bring to completion*, *fulfill in its entirety*, while ξυγχέειν signifies *to compromise*, *fudge*, *make ill-defined what is quite clear*.[236] Παραβαίνειν simply means *to transgress* or *deviate from*, while ἐπιορκεῖν is *to swear falsely* or *commit perjury*.[237] While neither of these pairs is

234 von Staden: "[I]nstead of the widely used, succinct formulations of the anticipated positive reward … the Oath has the much more elaborate, apparently uniquely formulated wish εἴη ἐπαύρασθαι καὶ βίου καὶ τέχνης δοξαζομένῳ παρὰ πᾶσιν ἀνθρώποις ἐς τὸν αἰεὶ χρόνον.

235 Jouanna 2018 (Budé I (2)), 44: "L'absence de cette systématisation peut s'expliquer par la date plus haute du *Serment* hippocratique. Dans une inscription attique de 447 avant J.-C. (IG I^3 37, 1. 53–55) on a l'opposition καὶ εἰ μὲν ταῦτα παραβαίνοιμι..., εὐορκοῦντι δέ."

236 In the *Hippocratic Corpus*, ξυγχέειν is used in the recipes found in *Ulcers* (*Ulc*. 6,412,11 16414,18,21), meaning *pour into*.

237 Perjury (ἐπιορκία) was perceived as a particularly heinous crime in ancient Greece, probably because written contracts and legal documentation were much rarer then than now. (Dover, 1994) Demosthenes points to the double injury caused by perjury: ἀδικεῖ μὲν ἐμέ, ἀδικεῖ δὲ τοὺς θεοὺς οὓς ὤμοσεν: the

synonymous, there is a degree of reiteration, which represents an attempt to achieve the maximum degree of comprehensiveness, akin, as it were, to the kind of precautionary provision described by Bayliss as an "anti-deceit clause."[238] The former element of each pair (*fulfill* and *perjure*) are generic antonyms, while the latter elements (*fudge* and *deviate from*) both essentially represent sophistic attempts to contravene sincerity of interpretation, that is, purity of spirit. *Oath* thus appeals to purity of spirit, which would not be disposed to searching for loopholes, while also contriving in its use of language to ensure as a precaution that through comprehensive legal drafting it blocks as many potential loopholes as possible (cf. *all the gods and goddesses*, *whatsoever house*, *all men*, etc.). While such attempts at total coverage also add somewhat to *Oath*'s liturgical, high-flown register, they at the same time maintain our awareness that, as with the contract in front of the swearer as he intones this oath, this utterance is concerned with the *law*. Of interest in this context is *Odyssey XIX*. 395–6, where Autolykos, grandfather of Odysseus, is described as "[surpassing] all men in thievery and the art of the oath." (Lattimore). Stanford in this commentary notes of line 396:

"presumably this [ὅρκῳ τε] does not mean by positive perjury, for which the most terrible punishment was prescribed, but by cleverly framing his oaths so as to leave loopholes for advantageous evasions later – a form of trickery that many Greeks would commend."[239] *Oath*, therefore, augments the conventional vocabulary used to seal an oath. After all, at stake is the future repute of the entire "transgenerational professional collectivity,"[240] to guard which *Oath* has been drafted.

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perjurer hurts both the one sworn to and the gods sworn by. The extent to which perjury was hated can be felt in the *Gorgias* of Plato (*Grg*. 525a1) and the *Frogs* of Aristophanes (*Ra*. 145–51, 418–28).

238 Alan H. Sommerstein and Andrew J. Bayliss, *Oath and State in Ancient Greece*, (Berlin, Boston: De Gruyter, 2012), 199: "Such clauses were increasingly common in fifth-century alliances, and were enhanced by the addition of extra qualifiers."

239 W. B. Stanford: *The Odyssey of Homer. Vol. II Books Xiii–Xxiv* (London: Macmillan: 1958), 332. See also "artful dodging" and "sidestepping" in Sommerstein and Torrance, 2014, 240,ff. For Odysseus in the context of oaths: ibid., 222–229.

240 von Staden, 1996, 416.

Ἐπαύρασθαι, a middle form of ἐπαυρέω / ἐπαυρίσκω, is used in the sense of *experience the due consequences of one's actions*, being also used since Homer for both positive and negative consequences.[241] Yet, in this context, the aorist form is to be noted, as are the two aorist infinitives at the beginning of *Oath*. The neutral sense of this verb is perhaps closest to *reap what one has sown*. At this point in *Oath*, ἐπαύρασθαι is used nominally as the first complement of εἴη, the second complement coming as the neuter plural τἀναντία τουτέων; ἐπαύρασθαι is thus clearly intended as *enjoy*. The objects of *enjoy* are *bios* and *technē*, allowing us to interpret the phrase as *reap the fruits of what I have sown with regard to my life (bios) and to my profession (technē)*.[242]

This *bios* is likely to be a reprise of *bios* at 4.iii. since these are the entities the swearer has sworn to guard in a spirit of *purity* and *holiness*, and, hence, the conformity that these two adverbs entail. After all, a call to purity is an attempt to guard conformity. The fruits to be enjoyed are those of having guarded one's *bios* and *technē* in a pure and holy manner. Just as an oath is intended to bind the swearer to his promises on pain of punishment, so our *Oath* is also intended to bind the swearers to the collectivity in conformity and in shared fate. The components of the professional collectivity are *bioi*, the diversity and conformity of which are equally necessary in the evolving glory of *technē*. The expression βίου κοινώσασθαι extends, therefore, from a sharing of the very basic necessities that sustain life to a sharing of the values that underpin the life of the collectivity. The collectivity is best served by a strong sense of individual responsibility in the several *bioi* of those guarding the *technē*. The profession identifies the individual,[243] who in turn becomes a constituent of the

241 *LSJ* denies that *Il*. 1.410 is used with irony. A similar construction to that of *Oath* occurs in Precepts (*Praec*. 2), but, in this instance, with a negative optative: τῶν δ' ὡς λόγου μόνου συμπεραινομένων μὴ εἴη ἐπαύρασθαι, τῶν δὲ ὡς ἔργου ἐνδείξιος.

242 We could justifiably translate using Miles' (2004) phrase "personal and professional life." See note 220.

243 Plat. *Gorg*. 448C: νῦν δ' ἐπειδὴ τίνος τέχνης ἐπιστήμων ἐστίν, τίνα ἂν καλοῦντες αὐτὸν ὀρθῶς καλοῖμεν.

profession. According to *Oath*, those who have taught me *technē* are equivalent to those who endowed me with *bios*. *Oath* marks this new order, under which biological lineage is succeeded by *bios* engendered by teaching and nurturing.

The idea of the multiple *bioi* is somewhat reminiscent of the Myth of Er, the legend that brings the *Republic* of Plato to a close. *Oath* represents a transformational juncture no less than that instant in the Myth of Er: the souls faced with the prospect of a new life must make choices. In this story, souls who have served sentences in either heaven or hell are assembled to decide their fate in the next life. As of this scene in the legend, therefore, reward in heaven or punishment in hell is the direct result of personal judgment (both in the sense of κρίσις (the power to discriminate / critical acumen) and γνώμη (conscience)). Here the "prophet" takes patterns of lives (one could almost say *templates*: βίων παραδείγματα) from the lap of Lachesis, daughter of Necessity; all must choose their own life pattern, although the order in which they do it is determined by lots. The message of the passage, however, is clear: the one who chooses is responsible for the life pattern chosen; the deity is not responsible.[244]

At no point, is a deity called on for assistance in fulfilling *Oath*, which is predominated by the first person singular, who calls on the gods simply as objective witnesses to the swearer's degree of success within the bounds of his personal capacity. The yardstick of man and that of the gods (τὰ δίκαια καὶ ὅσια) run together throughout *Oath*: the appeal (prayer) is addressed to the gods (εἴη) that the fruits of a life and profession upheld in proportion to the best efforts (abilities, judgment, conscience) of the individual be rewarded in proportion to the degree of attainment. This passage from the Republic also says: ἀρετὴ δὲ ἀδέσποτον, ἣν τιμῶν καὶ ἀτιμάζων πλέον καὶ ἔλαττον αὐτῆς ἕκαστος ἕξει (*Virtue is without master: the degree to which anyone has justice will be in proportion to the extent he*

244 Plat. *Rep*. 10.617e: αἰτία ἑλομένου: θεὸς ἀναίτιος.

either honors or dishonors virtue.) Thus *Oath* calls for no dire punishment other than that which will arise of necessity, as a result of applying the rule of proportion. If we look at some more traditionally worded oaths, we find such self-cursing utterances as "may I suffer utter annihilation."[245] In as far as certain other traditionally worded oaths are concerned, however, what is significant is the belief that the entire lineage of the perjurer risked being wiped from human history. Herodotus, for instance, famously records the case of Glaucus the Spartan, who was thus punished for even weighing the possibility of perjury:

> But Horkos (a god and personified curse) has a child with no name, nor hands, nor feet, but swift in pursuit, until he has in his grasp all a man's offspring and household, which he destroys.[246]

As if to expand what is involved in enjoying the fruits of one's life and profession, there then follows the passive participle of δοξάζειν, used here in the sense of *to hold in honor*.[247] Although Thucydides uses the active verb with the meaning of *magnify* or *extol*, other instances of this verb in the passive are post-classical.[248] The participial construction offers a broad range of interpretation, but probably points to the summation of such consequences as accrue from *bios* and *technē*, rather than indicating a reward over and above such consequences. The noun δόξα in this sense is also used by Solon (Solon 5. 4) in connection with αἰεί. Δόξα[249] can signify subjective opinion formed on the basis of appearance rather than objective knowledge. In the brief treatise *Law*, for instance, we see

245 Dem. 54 41: εἰ δ' ἐπιορκῶ, ἐξώλης ἀπολοίμην. (This is the very passage where he also uses the expression καὶ νῦν ὀμνύω τοὺς θεοὺς καὶ τὰς θεὰς ἅπαντας καὶ πάσας)

246 Translation: Sommerstein and Torrance, 2014, 244. Hdt. 6.86C: ἀλλ' ὅρκου πάις ἐστίν, ἀνώνυμος, οὐδ' ἔπι χεῖρες οὐδὲ πόδες: κραιπνὸς δὲ μετέρχεται, εἰς ὅ κε πᾶσαν συμμάρψας ὀλέσῃ γενεὴν καὶ οἶκον ἅπαντα.

247 von Staden (1996) translates "being held in good repute."

248 Thuc. 3.45: καὶ μετὰ πάντων ἕκαστος ἀλογίστως ἐπὶ πλέον τι αὑτὸν ἐδόξασεν Although *LSJ* gives this instance as "magnify, extol," it could simply be translated as *having an unreasonably high opinion/exaggerated opinion of himself*.

249 For the semantic range of δόξα, see: Michael Clark, "Semantics and Vocabulary," in in *A Companion to the Ancient Greek Language*, ed. Egbert J. Bakker (John Wiley & Sons, 2010), 131.

δόξα thrown into contrast with ἐπιστήμη, the latter upheld as leading to *knowledge*, the former to *ignorance*.[250] At the opening of the same treatise, however, the author states that the main reason for medicine currently being held in such low esteem is that states prescribed no penalty for medical practitioners *other than dishonor* (πλὴν ἀδοξίης). This clearly indicates a culture wherein the failure to be held in esteem or honor was punishment in itself; in a sense, therefore, while the gods may be witnesses to *Oath*, punishment for perjury lies very much in the hands of the swearer's fellow men, for it is they that withhold their esteem. (In this connection, Dover points to a difference between our sensibility and language and those of fourth-century Athenians: "[A]n Athenian's 'I wanted to be regarded as honest' is equivalent to our 'I wanted to be honest'. In such cases, there was no intention, of course, of drawing a distinction between disguise and reality; it was rather that goodness divorced from a reputation for goodness was of limited interest.").[251] In connection with the δόξα of one who perjures himself, two examples will suffice. The first is from Herodotus, who describes the punishment for perjury as resulting in the perjurer's lineage becoming more ἀμαυρός, that is *more obscure*, *mean* or *unknown*.[252] The second example is the oath sworn by Hippolytus as a desperate assertion of his innocence. Unlike our *Oath*, Hippolytus' oath is in reference to the past, something he vows has never taken place. The self curse involves perishing with *no name or reputation* if his oath proves untrue.[253]

250 *Lex* 4d.: Jouanna 2018 (Budé I (2)), 249: Δύο γάρ, ἐπιστήμη τε καὶ δόξα...

251 Dover, 1994, 226.

252 Hes. *WD* 282–5: ὃς δέ κε μαρτυρίῃσι ἑκὼν ἐπίορκον ὀμόσσας ψεύσεται, ἐν δὲ δίκην βλάψας νήκεστον ἀασθῇ, τοῦ δέ τ' ἀμαυροτέρη γενεὴ μετόπισθε λέλειπται: ἀνδρὸς δ' εὐόρκου γενεὴ μετόπισθεν ἀμείνων.

253 Eur. *Hipp.* 1028: νῦν δ' ὅρκιόν σοι Ζῆνα καὶ πέδον χθονὸς / ὄμνυμι τῶν σῶν μήποθ' ἅψασθαι γάμων / μηδ' ἂν θελῆσαι μηδ' ἂν ἔννοιαν λαβεῖν. / ἦ τἄρ' ὀλοίμην ἀκλεὴς ἀνώνυμος / ἄπολις ἄοικος, φυγὰς ἀλητεύων χθόνα, / καὶ μήτε πόντος μήτε γῆ δέξαιτό μου / σάρκας θανόντος, εἰ κακὸς πέφυκ' ἀνήρ. It incidentally also provides an instance of usage of the aorist infinitive as object of *omnuo*.

While Lydgate's famous aphorism tells us:"You can please some of the people all of the time, you can please all of the people some of the time, but you can't please all of the people all of the time," *Oath* will have none of this, insisting instead in typically uncompromising manner on παρὰ πᾶσιν ἀνθρώποις, in other words the aspiration to being held in high repute among *all* mortals, *all* of the time. Interestingly, the currently prevalent English expression *work-life balance* could also be considered in the context of *Oath*'s *bios* and *technē,* although *Oath* is more concerned with the integration of these two entities in contrast with the present-day preoccupation with the balancing of the two separate entities. The other duality that pervades *Oath* is the imperative of simultaneously satisfying both the requirements of human society and of the gods. *Oath*, therefore, sees success as a physician in terms of both domains: the human and the divine, the particular and the universal, the synchronic and the diachronic. This duality is introduced at the outset with the contrasting cosmologies of Apollo and Asklepios. A worthy life and *technē*, however, are clearly seen by the composer(s) of *Oath* as being squarely in the hands of the swearer, who is bound to protect these through his own vigilance. If perjury "invites divine retaliation,"[254] then divine retaliation is not uppermost in the mind of the composer(s) of *Oath*, whose imprecation is for a more abstract penalty: the absence of fruition of a life in medicine, tantamount to the absence of honor (*phīlotimiā*: love of honor[255]), resulting in obscurity. The entire "penalty" is singularly lacking in specificity, being dramatically distilled into τἀναντία τουτέων, the final two words, the seven syllables that bring *Oath* to an uncompromising close.

"La gloire est éphémère, mais l'obscurité est pour toujours" is reputed to be Napoleon's take on the transience of glory and the eternal nature of obscurity, which would, for the ancients at least, have been to underestimate glory: the ancient Greeks saw glory as the

254 Dover, 1994, 249.
255 See Dover, 1994, 230 ff. on *phīlotimiā.* Dover is also illuminating *on Honour and Shame*, ibid. 226 ff.

eternal light to overcome the eternal darkness of obscurity. Δόξα, for the ancients, is the glory (etymologically, *what is expected*) aspired to by the physician, just as κλέος[256] is the glory (etymologically, *what is heard*) craved by mortal warriors in order to achieve immortality. It is thus in the *Iliad*, where Achilleus is the hero with human limitations. It was also thus with Asklepios, the hero who aspired to immortality. Could we see this as the same tradition we find going as far back as Gilgamesh, whose fear of mortality was only overcome by the knowledge that glory confers immortality?[257] *Oath* thus shares this epic belief in the transforming power of glory, that which confers immortality on mortal heroes.

6 Conclusion

The question of dating *Oath* depends in large part on the degree of importance we attach to how far *Oath* is linguistically consistent with the other treatises of the *Hippocratic Corpus*. Are lexical items that are late, rare or non-existent in terms of the other treatises necessarily indicative of a later (post-classical) date? Surely we also need to look outside the *Hippocratic Corpus*, to works of the classical era, especially works in the Ionic dialect, such as those of Herodotus. The question therefore boils down to whether we limit ourselves to an internal linguistic comparison or expand our sights further to the usage of the classical period as a whole.

While the canonical version of *Oath* presents certain linguistic curiosities, its thematic and stylistic unity are nonetheless impressive. The all-inclusive nature of *Oath*, however, is achieved as much by vagueness in regard of certain details as by exhaustive modes of expression. Jouanna describes the text of *Oath* as having a *baffling suppleness*,[258]

256 Cf. Pl. *Symp*., 208c: καὶ κλέος ἐς τὸν ἀεὶ χρόνον ἀθάνατον καταθέσθαι.

257 Seth L. Schein, *The Mortal Hero: An Introduction to Homer's Iliad*. (University of California Press, 1984), 17.

258 Jouanna 2018 (Budé I (2)), 24: "...un texte dont la souplesse est parfois déroutante."

which he cites as one reason against emending the text for the sake of grammatical consistency.

Oath treats biology and ethics as a unity: that which is destructive to organic life is expressed in terms that overlap with that likely to impair a virtuous life. The concepts of organic life and life as the lifespan of the individual are thus inseparably fused. Life as construed as a unit lived by an individual in its turn includes livelihood, character, values and mode of living. Apart from as an epithet of Apollo, *Oath* does not use the word for *physician* (ἰητρός / ἰατρός); rather the swearer is seen as a male individual, the integral sum of *bios* and *technē*, distinct as concepts but inseparable as components of a man who has chosen the path of healer. In this sense, therefore, *bios* is as much *character* as *life*, *character* being set as the necessary adjunct of *competence* in the Hippocratic healer.

While Scribonius Largus regards *Oath* as a means of imbuing the minds of medical students with a spirit of *humanitas* that extends to offering treatment even to one's enemies, this is not generally borne out by what we know of the spirit of the fourth century BC. Scribonius, living slightly before the middle of the first century AD, is our earliest undisputed *terminus ante quem* for *Oath*, which forces to ask ourselves whether what he perceives as a drilling in *humanitas* had always been an element of *Oath*. On the evidence of an internal linguistic comparison, the relatively high incidence of words and phrases characteristic of post-classical Hippocratic treatises tempts us to admit the probability that the canonical version is a post-classical elaboration of an earlier core version. Moreover, the clumsy mixing of future infinitive and finite future straddling 2.i and 2.ii, seemingly indiscriminate use of future and aorist infinitives, and the puzzling clause whereby the swearer abjures surgery suggest a stitching together of disparate components. Jouanna, however, points to ionicisms and turns of phrase found in the prose of Herodotus as consistent with language of the classical period, preferring not to emphasize the poetic diction of *Oath* and likewise denying

religious or mystic elements. Jouanna rather sees the inconsistency of the infinitives (future vs. aorist) as a sign of authenticity. In this connection, it is necessary to remain aware of the two essential parts of *Oath*: the section from **1.i.** to **1.viii**. is a carefully drafted set of legal guaranties, both in terms of moral and monetary considerations, to be made by the apprentice, who presumably did not belong to the family of the Asclepiads. In the sense, therefore, that *Oath* bears throughout characteristics of a legally drafted document, Jouanna's approach of denying or underplaying poetry and mystery of diction is understandable. In fact, Jouanna's final sentence in his 2018 commentary on *Oath* demonstrates his thinking concerning the dating of *Oath* in general: "The comparison with Herodotus [in the instance of the usage of ἐπαυρίσκω] is the best method of assessing how far back the *Hippocratic Oath* goes."[259] For all this, however, the ancient provenance of *Oath* was never in question; what *is* in question is the extent to which later elaborations, accretions on the ancient core, have come to constitute our canonical version.

It is well known that Edelstein sought to demonstrate *Oath* as a Pythagorean bridge from paganism to Christianity. While this view finds little favour these days, there can be absolutely no doubt that *Oath*, in its canonical form, is a bridge of sorts, introducing as it does certain ethical notions uncharacteristic of the fifth and fourth centuries BC, a period that certainly coincided with the opening up of the profession to disciples not born into the Asclepian lineage—a bridge from one era to another in the transmission of the healing profession. *Oath* is thus at once ground-breaking and conservative, seeking to extend and nonetheless restrict. In the same manner, *Oath* affirms the gods, while moving towards a more developed consideration of humanity.

All in all, it is tempting to view *Oath* in much the same light as one might view the *Iliad*—a glorious edifice in bricks brought together from various kilns, elaborated and

259 Jouanna 2018 (Budé I (2)), 45: "La comparaison avec Hérodote est la meilleure façon de mesurer l'ancienneté du *Serment* d'Hippocrate."

enriched over several generations, but unlikely the product of a single hand. Though a strong awareness of legal elements permeates *Oath*, mere legal drafting is transcended by a mode of expression that is characterized by balance, rhythm and a *dignity* of language and thought, an awareness of the wholeness of man.

Table: Summary of linguistic elements according to von Staden's observations (2007)

Section	Lexical item, phrase	Remarks (Page numbers are von Staden, 2007, unless otherwise indicated. *CH*=*Corpus Hippocraticum*)
1.ii.	Ἀπόλλωνα ἰητρὸν καὶ Ἀσκληπιὸν καὶ Ὑγείαν καὶ Πανάκειαν καὶ θεοὺς πάντας τε καὶ πάσας	Combination of deities not otherwise found in *CH* or elsewhere, giving impression of being no earlier than the end of the classical period, probably later. (430–433; Torrance, 375)
1.iii. 2.i.	κατὰ δύναμιν καὶ κρίσιν ἐμὴν	Combination of δύναμις and κρίσις in this way not found elsewhere in *CH* or anywhere else; ἐμός "exceedingly rare in Hippocratic texts." (436)
1.iv.	τὸν διδάξαντά με τὴν τέχνην ταύτην	Διδάσκειν with double accusative: rare in pre-Hellenistic works of *CH*; more frequent in Hellenistic works. (440). Also, importantly see von Staden, 1996: "*téchnē* and its cognates make no appearance at all in more than half the extant Hippocratic treatises of the classical period...."
1.iv.	ἴσα	Hippocratic texts use ἴσως when the adverbial form is required; the only other instance is Hellenistic. (439)
1.iv.	γενέτῃσιν > γενέτης	Unique in *CH*. Plural signifying *parents* is predominantly found in inscriptions of the Roman period. (439). *Begetter*, *ancestor* in classical Greek, but also, *son* in tragedy. Seen by Jones (1924, 44 n.) as a "linguistic peculiarity." Jouanna 2018 (Budé I (2)), XIII, CXVIII–CXIX.
1.v.	κοινώσασθαι > κοινόειν	Unique in *CH*; otherwise classical.
1.v.	χρεῶν > χρέος	Basic meaning: *that which must be paid.* Occurs only in post-classical *Decorum* and *Epist.* Also once in disputed *Gland.*, where Littré translates as *utilité.* (439 n. 55) (*Index Hippocraticus*, s.v. χρέος). Jouanna (2018, 20) points to relative frequency in Herodotus: "χρέος est parfaitement à sa place dans l'ionien de l'époque classique."
1.v.	μετάδοσιν ποιήσασθαι	Unique in *CH*; otherwise classical.

Section	Lexical item, phrase	Remarks (Page numbers are von Staden, 2007, unless otherwise indicated. *CH=Corpus Hippocraticum*)
1.vi.	γένος	Not otherwise found in *CH* with meaning *offspring* (439 n. 54). Otherwise, standard, if poetic, from Homer. Highly resonant term in the sense of the Asclepiad *lineage*.
1.vi.	ἐπικρίνειν > ἐπικρινέειν	Unique in *CH*; otherwise classical.
1.vii.	χρηίζωσι μανθάνειν	Unique instance of χρηίζειν with infinitive in *CH* (439 n. 56), but regular classical Greek, often indicating a *strong desire to do something*. (See Jouanna 2018, 21.)
1.vii.	μισθοῦ > μισθός	Three post-classical instances in *CH* (*Index Hippocraticus*, s.v. μισθός). Otherwise, standard classical Greek.
1.viii.	παραγγελίης > παραγγελία	In *CH*, solely as title of *Precepts*, which is post-classical. Classical sense usually *command*, although used by Aristotle in sense of *precept.* Famous biblical instance:1 Timothy 1.5.
1.viii.	ἀκροήσιος > ἀκρόασις	Only in post-classical *Precepts* (440 n. 64) (*Index Hippocraticus*, s.v. ἀκρόασις). In classical Greek, the meaning is usually the *act* or *faculty of hearing*. (See Jouanna 2018, 23.)
1.viii.	μαθητῇσι > μαθητής	Rare in *CH*, predominantly Hellenistic. (440 n. 60) (*Index Hippocraticus*, s.v. μαθητής) Standard classical Greek for *pupil*, *student*, *apprentice*.
2.i.	κατὰ δύναμιν καὶ κρίσιν ἐμὴν	See **1.iii.**
2.ii.	ἐπὶ δηλήσει δὲ καὶ ἀδικίῃ εἴρξειν > δήλησις, ἀδικία, εἴργειν	Grammatically compressed, obscure; future infinitive of εἴργειν grammatically irregular in this context. Δήλησις, regular classical Greek, but unique in *CH*; ἀδικία found solely in late *Precepts* within *CH*. (443–444)
3.i.	οὐ δώσω > διδόναι	Von Staden points to absence of future in classical treatises of *CH*, but this form is necessitated by thematic setting (promissory nature) of the genre, cf. ὀμνύω, ὅρκος, ὁρκίζω, etc. (444, n.83)
3.i.	θανάσιμος > θανάσιμον	Numerous occurrences in *CH* of this adjective meaning "*mortifer* vel *mortem indicans*" (*Index Hippocraticus* s.v. θανάσιμος). However, not used elsewhere in *CH* with φάρμακον. (445)

Section	Lexical item, phrase	Remarks (Page numbers are von Staden, 2007, unless otherwise indicated. *CH=Corpus Hippocraticum*)
3.iii.	πεσσὸν > πεσσὸς	Not the word usually used in the gynecological treatises of *CH* (only three other instances, *Index Hippocraticus* s.v. πεσσός) to refer to pessaries and insertions of this nature, which is πρόσθετον (*Index Hippocraticus*: "*pessarium*") or βάλανος (*Index Hippocraticus*: "*in genitalibus mulierum adhibetur*").
4.i.	ἁγνῶς δὲ καὶ ὁσίως > ἁγνὸς ὅσιος	Cardinal adverbial phrase: neither adverb found again in *CH*. Only two instances of ὅσιος in *CH*, both late; ἀνόσιος does occur in *Morb. Sacr.*, a useful reference for usage in this context, where we also find the only instance of ἁγνὸς, which appears as neuter superlative (= *the most pure*). (See Jouanna 2018, 30–32.)
4.ii.	διατηρήσω > διατηρεῖν	Standard classical Greek. Occurs in *CH* only once, in *Letters* (oldest papyrus: first century AD) and once in *Decorum* (first/second century AD), the context abounding in φυλάσσειν, διαφυλάσσειν. See also *Index Hippocraticus* s.v. τηρέω, ἐπιτηρέω, παρατηρέω. (446) Von Staden, 1996: "The Hippocratic expression "to guard one's life" (*diaterēin bion*) is not common in the classical period."
5.i.	οὐδὲ μὴν	Occurs twice in *CH*: *On Fleshes* and *Decorum*. See n. 124 and n. 125. Extremely difficult to interpret; rare in classical standard, too. Probably corrupt. (447)
5.ii.	ἐκχωρήσω > ἐκχωρεῖν	Simultaneously with genitive of *thing/place yielded* and dative of *person yielded to* not found in *CH* in sense of *yield*, although relatively frequent in medical non-figurative uses: (*res ex corpore*) *Index Hippocraticus* s.v. ἐκχωρέω. (447–448)
5.ii.	ἐργάτῃσιν ἀνδράσι > ἐργάτης ἀνήρ	Not found in *CH* in this combination. Ἐργάτης appears but once, in *Nature of Man*, attributed to Hippocrates' son-in-law Polybus. This combination is otherwise standard classical Greek. (448)
6.ii.	ἐκτὸς ἐὼν > ἐκτὸς εἶναι	Only one other instance in *CH* (*Precepts*) Otherwise, standard classical Greek. (449)
6.ii.	ἀδικίης > ἀδικίη (ἀδικία)	Only one other instance in *CH* (*Precepts*). (*Index Hippocraticus* s.v. ἀδικίη.) (448)

Section	Lexical item, phrase	Remarks (Page numbers are von Staden, 2007, unless otherwise indicated. *CH=Corpus Hippocraticum*)
6.ii.	ἀφροδισίων ἔργων > ἀφροδισία ἔργα	Not found elsewhere in *CH* in this combination. *CH* simply uses neuter plural ἀφροδισία, which is also classical standard. In combination with ἔργα, the phrase is very late (Roman, second century AD onwards). (449–450)
7.i.	ἄνευ θεραπείης	As *a phrase*, this is not found anywhere, either in *CH* or in classical Greek. Found only in late Greek, often Christian texts. (451–2)
7.1.	κατὰ βίον ἀνθρώπων	Used but once in *CH*, in *Letters*, which is post-classical. As an adverbial phrase, not characteristic of classical Greek, but common in Hellenistic period. (452)
7.i.	ἐκλαλεῖσθαι > ἐκλαλεῖν	Not found elsewhere in *CH*. Standard classical Greek. However, collocation with ἄρρητος late. (451)
7.ii.	σιγήσομαι > σιγάειν	Von Staden comments, “the unique transitive use of the middle voice stands out within the Corpus.” (453)
7.ii.	ἄρρητα > ἄρρητος	Not found elsewhere in *CH*. Standard classical Greek. (451 n. 114)
8.i.a.	συγχέοντι > συγχέειν	Figurative use of this verb not found in *CH.* Used since Homer of *invalidating agreements*, but not part of standard boilerplate of oaths. (463)
8.i.b.	ἐπαύρασθαι > ἐπαυρίσκειν, ἐπαυρίσκεσθαι	Classical standard dating from Homer. Von Staden points out that all examples of this verb in the classical works of *CH* have *impersonal* subjects. (464) Optative expression with this verb (μὴ εἴη ἐπαύρασθαι) echoed in *Precepts*.
8.i.c.	δοξαζομένῳ > δοξάζειν	The only example of the verb in *CH* with meaning “hold in honor,” “magnify,” and this meaning is overwhelmingly late elsewhere, frequently biblical. *LSH*, s.v. δοξάζω. (463)
8.ii.a., 8ii.b.	παραβαίνοντι δὲ καὶ ἐπιορκοῦντι,τἀναντία τούτων (J: τουτέων).	Jouanna (2018) shows that the prevailing formula is to end in τἀναντία alone, while citing six inscriptions with τἀναντία τουτέων as deriving from a geographical area proximate to Cos. (Jouanna 2018, 42)

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